

BROADCAST 5131

DATE: August 27, 2008

TO: Local Department of Social Services Directors, Finance Directors,
Foster Care and Adoption Supervisors and Staff

FROM: Paul D. McWhinney, Director, Division of Family Services

TIME: 12:00 p.m.

SUBJECT: Monthly Caseworker Contacts with Children in Foster Care

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This broadcast institutes new federally mandated requirements for case worker contacts with children in foster care effective immediately. The guidance contained herein supersedes all related guidance in Volume VII, Section III, Chapter B, of the Foster Care Manual and was developed with the assistance of 21 local departments of social services child welfare staff. This is the first in a series of broadcasts regarding monthly visits.

The Child and Family Services Improvement Act (CFSIA) of 2006 (P.L. 109-288) requires states to implement monthly face-to face contacts by caseworkers with children in foster care. This federal law also requires that "... the caseworker [contacts] are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency, and well-being of the children". The intent and requirements of this law are detailed in the Administration for Children and Families (ACF) Information Memoranda, ACYF-CB-IM-06-05; ACYF-CB-IM-07-05; and ACYF-CB-PI-07-08. Following is a summary of what the law and federal guidance require; new Foster Care and Adoption caseworker contact guidance; and further steps Virginia will take to comply with the federal requirements.

Summary of CFSIA Requirements

States are required to collect and report data annually to the federal government on the number and percentage of children in foster care who:

- Have face-to-face contact each and every calendar month by the caseworker; and
- The percentage of these contacts that occurred in the residence of the child.

By Oct. 1, 2011, all states are required to show that monthly face-to-face visits occur in no less than 90% of all cases and that of these contacts, over 50% occur in the child's place of residence. On June 30, 2008, Virginia submitted federal fiscal year (FFY) 2007 baseline data on monthly visits and an action plan to ensure that required compliance rates are met by Oct. 2011 including target percentages to be reached each FFY. Virginia's "Monthly Worker Contact Action Plan" with required annual percentage increases is available on SPARK at http://spark.dss.virginia.gov/support/oasis/reports/fc/contact_action.cgi. Should Virginia not meet or exceed the estimated annual expected improvement percentage for each year, the state

will be required to provide an increased match to draw down the entire state's allocations of Title IV-B, subpart-1 funds.

The law appropriated \$40 million for FFY 2006 in Title IV-B, subpart 2, program mandatory funds for all States to spend through Sept. 30, 2009. Additional funds are targeted to support implementation of this mandate for FFY's 2008-11. These funds are 75% federal funds with a 25% state match (no local funds are required) and are intended to support monthly caseworker visits with children who are in foster care under the responsibility of the State, with a primary emphasis on activities designed to improve caseworker retention, recruitment and ability to access the benefits of technology (sections 433(e) and 436(b)(4) of the Social Security Act). Federal guidance strongly encourages states not to use these funds for staff positions due to the time limited nature and the variance in annual allocations of these funds.

Criteria Constituting a "Monthly Face-to-Face Contact"

Beginning Sept. 1, 2008, all children in foster care must have a face-to-face contact with an approved caseworker (see "Who may be Considered a "Caseworker" for the Purpose of Face-to-Face Contacts" below).

Monthly face-to-face contacts must:

1. Occur within each and every calendar month. If a child is seen twice in one calendar month (e.g., July 1 and July 31), but not in another calendar month (e.g., August), the child is not considered to have been seen each and every calendar month. As a result, the child remains in the over-all count of children who should be visited but since he was not seen each and every calendar month, all face-to-face contacts made with this child are omitted from the over-all state percentage of visits.
 2. Be face-to-face. Only contacts made where the worker actually sees the child in person may be counted and visits must be well-planned, focused and meaningful.
 3. Occur in the child's place of residence more than 50 percent of the time. "Place of residence" means where the child is placed or is living and includes: foster homes; group homes; residential facilities; the child's home when the child is on a trial home visit for the entire month; and, may include a medical or psychiatric hospital when the child remains in the placement and care of the local department of social services (LDSS).
 4. Occur for children placed out-of-state but visits may be made by the receiving state.
- Worker contacts for children placed out-of-state may only begin after the placement has been approved by the ICPC office in the receiving state, and the sending state has provided the receiving state with a form 100B indicating that the child has been placed with the approved placement resource;
 - The contact may be made by the receiving state's worker.

Virginia's Baseline and On-going Data for Monthly Worker Contacts with Children in Foster Care

Virginia's baseline for face-to-face monthly contacts with each and every child in foster care for FFY 2007 is 19.20%. Of these visits, face-to-face contacts occurred in the child's place of residence 63.88% of the time. Beginning in Sept. 2008, LDSS will have access to data reports to monitor their own compliance with required worker contacts. Three types of data reports will be

available:

1. Monthly LDSS-specific reports listing face-to-face contacts with each eligible child will be made available directly to each LDSS;
2. Monthly statewide data compliance reports, listing each LDSS over-all compliance rates and the total statewide compliance rate will be posted on SPARK; and
3. Three, six, nine and twelve month aggregate statewide data reports, listing each LDSS and the total statewide compliance rates will be posted on SPARK.

Computation of the Monthly Contact Case Count – Eligible Children

The percentage of face-to-face monthly visits is computed by counting all children who are:

- in foster care regardless of their permanency goal, placement type or the funding source used to pay for their care. (This includes children in permanent foster care homes and those in adoptive homes prior to the issuance of the final order of adoption);
- in care for the entire month (children exiting and entering care during the month are excluded);
- placed out-of-state;
- on a trial home visit where the LDSS continues to have placement and care responsibility for the child;
- on AWOL or run-away status; and
- under the age of 18.

Who may be Considered a “Caseworker” for the Purpose of Face-to-Face Contacts

Individuals having face-to-face contacts with children in foster care that may be counted for the purpose of meeting the federal requirement include:

- The primary LDSS service worker;
- Other service workers (including the supervisor, Chief of Services, LDSS director when appropriate, etc.) who attend case planning staffings for the child on an on-going basis and are known by the child either through attendance at service planning meetings, family team meetings or through other meetings, court or administrative hearings or conferences;
- Case aides, volunteers, bachelor or master’s level student interns as long as they meet the criteria in the preceding bullet and are specifically assigned to provide on-going assistance in a particular case; and
- Comprehensive Services Act (CSA) Coordinators may be considered as a caseworker for the purpose of conducting face-to-face contacts.

The following individuals may NOT be considered as a caseworker for the purpose of conducting face-to-face contacts:

- Service workers who do not have the level of familiarity with the child and his plan for permanency as described above;
- Individuals (e.g., case aides, volunteers, student interns) providing general assistance (e.g., transporting clients, data entry, helping parents in job searches, assisting in preparing case materials for referral);
- Licensed Child Placing Agency or Children’s Residential Services staff;
- Court Appointed Special Advocates; and
- Other Family Assessment and Planning Team members.

Caseworker Contacts Must be Well-planned and Focused on Issues Pertinent to Case Planning (i.e., Meaningful)

The over-all focus of worker contacts should be on the child's safety, well-being and progress to permanency. Key elements to consider in the meaningfulness of such contacts include:

- The stated purpose and function of the contact with goals and areas of exploration determined in advance of the visit;
- The child's age and developmental level and the best manner in which to communicate with the child;
- Who, in addition to the child, can provide information about the child and service plan goals and outcomes?
- The safety of the child's environment;
- Adequate time to discuss the child's, provider's and family's case plan and the completion of actions necessary to support children and families in achieving the goals established in their plans. This includes a discussion of the performance by the LDSS in following through on assigned responsibilities; and
- Examining changes in the child's, provider's or family's circumstances on an ongoing basis.

Recording Worker Contacts in OASIS

Face-to-face contacts **MUST** be entered into OASIS immediately but no later than 30 days following the contact. On the "Case/Collateral Contact Information" screen, workers must complete the following:

- In the "Type/Location" field, select the appropriate type of "Face-to-Face" contact that occurred. On the current OASIS Contact Types pick-list, the following ;
 - "Face-to-Face" (Home) should be selected when the contact occurs in the child's biological/adoptive family home, his prior custodians home to which he is expected to return if currently in a residential setting or an independent living arrangement;
 - "Face-to-Face" (Placement Provider) should be selected if the contact occurs in the foster home;
 - "Face-to-Face" (Residential Facility) should be selected if the contact occurs in a children's residential facility, group home or similar group care facility;
 - "Face-to-Face" (Other) should **ONLY** be selected when the place of the visit is not already listed in the pick-list items (e.g., contact at the Virginia Youth Advisory Council conference; contact at a friend's house).
- Complete the date and time of the contact;
- Under "Purpose," select "worker visit" along with any other pick-list item that applies;
- In the "Comments" text field, summarize the information necessary to communicate that the contact was meaningful.

Funding to Support Monthly Worker Contacts with Children in Foster Care

Because funding is time-limited and the amounts allocated vary widely from year to year, federal funds cannot be used for local department services staff salaries or to hire additional local services staff. Given federal guidelines for the use of these funds, Virginia has determined that the best use of its initial allocation is to allocate funds to the LDSS to be used to support travel costs to visit children.

Future Broadcasts

VDSS will post additional broadcasts no later than Sept. 15, 2008 related to the subject of monthly worker visits. Generally, these broadcasts will cover the following information:

- The application process for securing travel funds to support monthly worker contacts;
- Additional guidance relevant to out-of-state placements;
- The dissemination to LDSS and the posting on SPARK of the monthly worker contact reports;
- Changes to the OASIS contacts screen pick-list to provide greater clarity in selecting the type of visit.